

# EXHIBIT A

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**Yvonne M. Flaherty**  
Phone: 612-339-6900  
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REPLY TO MINNEAPOLIS

January 18, 2017

**VIA E-MAIL**

Benjamin Hulse, Esq.  
Blackwell Burke, P.A.  
431 South Seventh Street  
Suite 2500 Minneapolis, MN 55415

Re: In Re Forced Air Warming Devices Products Liability Litigation, MDL 2666  
Weimer v. 3M Company, Case No. 0:16-cv-00621

Dear Mr. Benjamin Hulse:

I write to follow up on our recent communication regarding the above-captioned matter. Based on our further analysis of this matter, we submit that Ms. Weimer should not be included in defendant's motion for an order to show cause.

As you may recall, our office commenced Ms. Weimer's claim on March 10, 2016. On March 29, 2016, we were notified of a potential dual representation issue.<sup>1</sup> Unfortunately, we believe that this has created a tremendous amount of confusion for Ms. Weimer (who is currently 78 years old), and we believe that her confusion as to the dual representation issue has caused her to be unresponsive to our notices regarding Plaintiff Fact Sheet obligations over the past several weeks.

In an effort to resolve any confusion that Ms. Weimer may have, we have reached out to Ben Gordon and will work with him to clarify representation with Ms. Weimer. Thus, we respectfully request a modest extension (until February 10, 2017) in which to serve the completed Plaintiff Fact Sheet and authorizations. In the interim, enclosed please find copies of Ms. Weimer's medical records, including medical records which confirm Ms. Weimer's use of defendant's product and a subsequent peri-prosthetic joint infection. We will continue to work to secure the completed Plaintiff Fact Sheet and authorizations.

I am out of the country until January 21st, but should have intermittent email access if you wish to further discuss. Thank you.

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<sup>1</sup> See Margaret Weimer v. 3M Company, Case Number 0:16-cv-00796.

January 18, 2017

Page 2

Very truly yours,

LOCKRIDGE GRINDAL NAUEN P.L.L.P.

A handwritten signature in black ink, appearing to read "Yvonne M. Flaherty". The signature is fluid and cursive, with a large, stylized loop at the end of the last name.

Yvonne M. Flaherty

YMF/rnz

cc: Ben Gordon, Esq. (via email only)  
David Szerlag, Esq. (via email only)

# EXHIBIT B

---

**From:** Ben Hulse <BHulse@blackwellburke.com>  
**Sent:** Wednesday, January 18, 2017 5:52 PM  
**To:** Ben Gordon; Zubiata, Rachel N.; Flaherty, Yvonne M.  
**Cc:** david@pritzkerlaw.com; Mary Young  
**Subject:** RE: Bair Hugger: LGN Response Re Order to Show Cause

Ben G. and Yvonne,

We can extend the deadline until 1/27 for the Weimer PFS and for you to work out the representation issues. If that deadline is approaching and you are still facing issues beyond your control, please let me know and we can discuss whether a further extension is appropriate.

-Ben H.

Benjamin W. Hulse  
Blackwell Burke P.A.  
431 South Seventh Street, Suite 2500  
Minneapolis, MN 55415  
Direct (612) 343-3256  
Fax (612) 343-3205

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**From:** Ben Gordon [<mailto:bgordon@levinlaw.com>]  
**Sent:** Wednesday, January 18, 2017 4:16 PM  
**To:** Zubiata, Rachel N.  
**Cc:** Ben Hulse; [david@pritzkerlaw.com](mailto:david@pritzkerlaw.com); ymflaherty  
**Subject:** Re: Bair Hugger: LGN Response Re Order to Show Cause

Thank you. Having reviewed this matter, i too, am happy to discuss with all concerned and try to clear up any confusion and to help the parties and the plaintiff move this matter forward with all reasonable dispatch.

Ben, we will appreciate your patience and accommodation in the brief period while this is being discussed and resolved.

Ben W. Gordon, Jr.  
Of Counsel  
Levin-Papantonio, P.A.

On Jan 18, 2017, at 4:12 PM, Zubiata, Rachel N. <[rnzubiata@locklaw.com](mailto:rnzubiata@locklaw.com)> wrote:

Per Yvonne Flaherty, please see the attached.

Thank you.

Rachel N. Zubiate | Paralegal  
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<BH Weimer Correspondence.pdf>

# EXHIBIT C

**From:** [Gilles, Barbara R.](#)  
**To:** [Gilles, Barbara R.](#)  
**Subject:** FW: Bair Hugger MDL - PFS - WEIMER EXHIBIT C  
**Date:** Wednesday, June 14, 2017 2:57:43 PM  
**Attachments:** [image001.png](#)

**From:** Wendy Thayer [<mailto:wendy@pritzkerlaw.com>]  
**Sent:** Friday, April 21, 2017 3:20 PM  
**To:** Peterson, Elizabeth A.  
**Cc:** Flaherty, Yvonne M.; Zubiante, Rachel N.  
**Subject:** RE: Bair Hugger MDL - PFS

Thank you for the update.



**Pritzker Hageman, P.A.**  
ATTORNEYS

*Wendy Thayer*

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 Pritzker Hageman, P.A.  
 PWC Plaza Building  
 Suite 2950  
 45 South Seventh Street  
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 Fax: (612) 338-0104  
 Toll-Free: (888) 377-8900  
 Email: [wendy@pritzkerlaw.com](mailto:wendy@pritzkerlaw.com)

**From:** Peterson, Elizabeth A. [<mailto:eapeterson@locklaw.com>]  
**Sent:** Friday, April 21, 2017 2:48 PM  
**To:** Wendy Thayer <[wendy@pritzkerlaw.com](mailto:wendy@pritzkerlaw.com)>  
**Cc:** Flaherty, Yvonne M. <[ymflaherty@locklaw.com](mailto:ymflaherty@locklaw.com)>; Zubiante, Rachel N. <[rnzubiante@locklaw.com](mailto:rnzubiante@locklaw.com)>  
**Subject:** RE: Bair Hugger MDL - PFS

Wendy

I apologize for the delay in our response. Ms. Weimer was a dual representation issue between Levin Papantonio and our firm. We just recently resolved the dual representation and are currently working with Ms. Weimer to complete the required PFS as quickly as possible. We anticipate having the PFS served on Defendants in the next couple weeks.

Thank you  
 Elizabeth

On Apr 14, 2017 3:52 PM, Wendy Thayer <[wendy@pritzkerlaw.com](mailto:wendy@pritzkerlaw.com)> wrote:

Good afternoon,

I have been contacted by defense counsel regarding past due plaintiff fact sheets. Your client listed below is on the list. Could you please give me and update on when you will be completing the fact sheet and serving it on defense.

Case Number	Title	Date Filed	PFS Due Date	Comment	List of 150*	Firm Name
<a href="#">0:16-cv-00621-JNE-FLN</a>	Weimer v. 3M Company	3/10/2016	1/27/2017	Due date extended to 1/27, but no PFS received since		Lockridge, Grindal Nauen P.L.L.P.

Thank you



**Pritzker Hageman, P.A.**  
ATTORNEYS



*Wendy Thayer*

Legal Assistant

Pritzker Hageman, P.A.

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45 South Seventh Street

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# EXHIBIT D

**Gilles, Barbara R.**

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**From:** bairhugger@elijaht.com  
**Sent:** Thursday, June 01, 2017 3:17 PM  
**To:** Zubiante, Rachel N.; Zubiante, Rachel N.  
**Subject:** Bair Hugger PFS for Weimer, Margaret has been served

A PFS has been served for Weimer, Margaret for Case Number 0:16-cv-00621. on 6/1/2017 3:16:41 PM

Served by Lockridge, Grindal Nauen P.L.L.P.

# EXHIBIT E



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**Yvonne M. Flaherty**  
Phone: 612-339-6900  
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REPLY TO MINNEAPOLIS

June 7, 2017

**VIA EMAIL ONLY**

[bhulse@blackwellburke.com](mailto:bhulse@blackwellburke.com)  
[myoung@blackwellburke.com](mailto:myoung@blackwellburke.com)

Benjamin W. Hulse  
Mary S. Young  
BLACKWELL BURKE P.A.  
431 South Seventh Street, #2500  
Minneapolis, MN 55415

In Re: *Thurman v. 3M Company*, Court File No: 16-cv-01091  
*Donaho v. 3M Company*, Court File No: 16-cv-04209  
*Wright v. 3M Company*, Court File No: 16-cv-01108  
*Daniels, Jr. v. 3M Company*, Court File No: 16-cv-03283  
*Mayo v. 3M Company*, Court File No: 16-cv-00494  
*Drumright v. 3M Company*, Court File No: 16-cv-02271  
*Little v. 3M Company*, Court File No: 15-cv-04211  
*Dethlefson, Jr. v. 3M Company*, Court File No: 16-cv-00242  
*Whiddon v. 3M Company*, Court File No: 16-cv-00905  
*Weimer v. 3M Company*, Court File No: 16-cv- 00621

Dear Counsel:

We received notice on June 6, 2017 that you believed you were missing the above-captioned Plaintiff Fact Sheets. Please be advised that the matters listed in the following table have been served via the portal.

Case No:	Title	2 <sup>nd</sup> Deficiency Notice Sent	Due Date	Alleged Deficiency	Status
0:16-cv-01091	Thurman v. 3M Company	3/8/2017	3/29/2017	Updated Signed verification	Served 6/7/2017
0:15-cv-04209	Donaho v. 3M Company	3/9/2017	3/30/2017	Updated Signed verification	Served 6/7/2017

0:16-cv-01108	Wright v. 3M Company	3/8/2017	3/29/2017	Updated Signed verification	Served 6/7/2017
0:16-cv-03283	Daniels, Jr. v. 3M Company	3/8/2017	3/29/2017	Updated Signed verification	Served 6/7/2017
0:16-cv-00494	Mayo v. 3M Company	3/13/2017	4/3/2017	Updated Signed verification	Served 6/7/2017
0:16-cv-02271	Drumright v. 3M Company	3/22/2017	4/12/2014	Updated Signed verification	Served 4/12/2017
0:15-cv-04211	Little v. 3M Company	3/22/2017	4/12/2017	Updated Signed verification	Served 4/12/2017
0:16-cv-00242	Dethlefsen, Jr. v. 3M Company	3/22/2017	4/12/2017	Updated Signed verification	Served 4/12/2017
0:16-cv-00905	Whiddon v. 3M Company	3/22/2017	4/12/2017	Updated Signed verification	Served 4/12/2017
16-cv- 00621	Weimer v. 3M Company	N/A	1/27/2017	Plaintiff Fact Sheet	Served 6/1/2017

Our records indicate that Lockridge Grindal Nauen does not have any other outstanding Plaintiff Fact Sheets. If you have any questions or if you show that additional Fact Sheets are missing, please advise and we will proceed accordingly. Thank you.

Very truly yours,

LOCKRIDGE GRINDAL NAUEN P.L.L.P.



Yvonne M. Flaherty

YMF/brg

cc: Ben Gordon, Esq. (via email only; [bgordon@levinlaw.com](mailto:bgordon@levinlaw.com))  
David Szerlag, Esq. (via email only; [david@pritzkerlaw.com](mailto:david@pritzkerlaw.com))  
Genevieve Zimmerman, Esq. (via email only; [gzimmerman@meshbesh.com](mailto:gzimmerman@meshbesh.com))  
Jan Conlin, Esq. (via email only; [JMC@ciresiconlin.com](mailto:JMC@ciresiconlin.com))